IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

WP(C).No. 26953 of 2007(H)

PETITIONER:

PHILIP K.T. AGED 60 YEARS,
S/O. THOMAS PHILIP, KUTEEKATTU,
KUZHITHOLU,KARUNAPURAM VILLAGE,
UDUMBANCHOLA TALUK.

BY ADV. SRI.S.DILEEP (KALLAR)
SRI.NAVEEN THOMAS

RESPONDENTS:
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1. IDUKKI DISTRICT CO-OPERATIVE BANK LTD,
VANDANMEDU BRANCH,
IDUKKI DISTRICT REPRESENTED BY ITS SECRETARY.

2. SECRETARY,
IDUKKI DISTRICT CO-OPERATIVE BANK LTD,
VANDANMEDU BRANCH,
IDUKKI DISTRICT.

BY ADV. SRI.P.C.SASIDHARAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/10/2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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W.P.(c).No.26953 OF 2007

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Dated this the 9th day of October , 2007

JUDGMENT

Case of the petitioner is that the first respondent Bank is refusing to give the title deeds of the property. There was a loan transaction. According to the petitioner, the entire amount has been paid and the account is closed. This fact is not disputed by the learned counsel for the Bank. Learned counsel for the Bank submits that the petitioner has not filed any application or produced any documents. But he submits that if the petitioner produces a legal heirship certificate issued by the Tahsildar and also produces a joint application by all the legal heirs for the return of the documents in favour of the petitioner or to any one of the legal heirs, the bank will deliver the documents in terms of the request made by the legal heirs in the joint application.

In the light of submission made by the learned counsel for the Bank, the writ petition is disposed of directing the second respondent that if the petitioner produces the legal heirship certificate issued by the Tahsildar and also produces an

application by all the legal heirs authorising the petitioner to receive the documents, the respondents will deliver the documents within a period of two weeks from the date of receipt of the documents as aforesaid.

(K.M.JOSEPH, JUDGE)

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